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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

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House Bills 4836-7 (As Introduced)

Topic: Housing Impact Statements
Sponsor: Representatives Ward and Huizenga
Co-sponsors: Representatives Huzenga, Farhat, Vander Veen, Gosselin, Drolet, Stakoe, Farrah, Meisner, Walker, Stahl, Pastor, Baxter, Acciavatti, and Brandenburg
Committee: House Natural Resources, Great Lakes, Land Use, and Environment Committee

Date Introduced: May 26, 2005

Date of Summary: May 27, 2005

House Bill 4837 requires local units of government to prepare a housing impact statement before it approves or adopts a rule, regulation, or ordinance. The impact statement is required to describe the impact of the proposed rule, regulation, or ordinance on the affordability of new housing construction and the rehabilitation of existing housing within the local unit of government. The impact statement is required to be included with the publication of the general notice of the proposed rule, regulation, or ordinance. A copy of the statement and notice must be transmitted to the Director of the Michigan State Housing Development Authority. The Director is required to make a copy of the statement and notice available to the public upon request and to make the documents available on the Internet Website required by House Bill 4836.

The contents of the initial housing impact statement are mandated by the bill as follows:

- Describe the reasons for the proposed action.
- A statement of the objectives and legal basis.
- Describe and estimate of increased costs or reductions in the supply of housing or land for residential development or housing rehabilitation.
- Identify all relevant federal, state, and local rules, regulations or ordinance which may duplicate, overlap, or conflict with the proposal.

The local unit of government is required to review all alternatives to the proposed rule, regulation, or ordinance. A determination is required as to whether any of the submitted alternatives accomplish the objectives in a comparable manner, results in equal or lower costs, results in equal or great affordability and rehabilitation effects. If it is determined that an alternative meets or exceeds one or more factors, the local unit of government is required to incorporate the alternative into the final rule, regulation, or ordinance or issue a new one.

A final impact statement is required that includes the need and objectives of the rule, regulation, or ordinance; a summary of significant issues raised and the local unit's assessment; and a description and estimate of the extent of the impact on affordability of housing construction or rehabilitation or an explanation of why an estimate is not available. Copies of the final impact statement are required to be made available to the public and published in a general circulation newspaper. A copy must be transmitted to the Director of the Michigan State Housing Development Authority.

The chief executive of a local unit of government may waive or delay completion of some or all of the requirements related to the initial housing impact statement by issuing a written finding that the final rule, regulation, or ordinance is necessary due to an emergency that makes compliance impracticable. The notice must be published in a newspaper of general circulation and provided to the Michigan State Housing Development Authority. Requirements related to the final impact statement may not be waived, but they may be delayed for up to 180 days after publication of the rule, regulation, or ordinance. If the final housing impact statement is not prepared within 180 days, the rule, regulation, or ordinance is void.

The Director of the Michigan State Housing Development Authority is required to develop and publish model initial and final housing impact statements. Local units of government are required to adopt and use these model statements.

House Bill 4836 requires the Authority to create a single Internet Website containing the text of each proposed rule, regulation or ordinance and other filings submitted pursuant to requirements in House Bill 4837.

The bills are tie-barred.